

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

Bail Appl..No. 4733 of 2007()

CRIME NO.413/2007 OF THE PATTAMBI POLICE STATION

PETITIONERS/ACCUSED

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1. T.SASINDHRAN, S/O.RAMAN MENON(LATE),
THELEPURATH HOUSE, NJHAMNANGHAT P.O.VADAKKEKAD
VILLAGE, CHAVAKKAD, THRISSUR.
 2. USHA, W/O.MURALEEDHARAN, PALLAKAZHI
HOUSE, POST VADAKKEKAD, CHAVAKKAD.

BY ADV. SRI.RAJIT

RESPONDENTS: STATE

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
AT ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J

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B.A.No.4733 of 2007

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Dated this the 6th day of August, 2007

ORDER

Application for anticipatory bail. Petitioners are the husband and the sister in law of the defacto complainant. Crime has been registered on the basis a private complaint filed before the learned Magistrate and referred under Sec.156(3) Cr.P.C. to the Police. Investigation is in progress. The petitioners apprehend imminent arrest.

2. The marriage took place on 03.06.07. Shortly thereafter the acrimony started. According to the learned counsel for the petitioner, false and vexatious allegations are being raised solely because of the said strain in the matrimonial tie. There is no allegation of any physical cruelty resulting in injuries. Investigation is in progress. The petitioners apprehend imminent arrest.

3. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied, in the facts and circumstances of the case referred above, that anticipatory bail can be granted to the petitioners.

4. In the result, this application is allowed. The following directions were issued under Section 438 Cr.P.C.:-

i) The petitioners shall appear before the learned Magistrate having jurisdiction at 11 a.m on 13.08.07 They shall be enlarged on regular bail on their executing bonds for Rs.25,000/-(Rupees Twenty Five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m. and 1 p.m on 14.08.07 and 15.08.07 and thereafter between 10 a.m and 12 p.m on all Mondays and Fridays for a period of one month. Subsequently as and when directed by the Investigating Officer, in writing to do so.

(iii) If the petitioners do not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioners and deal with them in accordance with law, as if these directions were not issued at all.

(iv) If they were arrested prior to 13.08.07, they shall be released from custody on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) without any sureties, undertaking to appear before the learned Magistrate on 13.08.07.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE

sj

(R.BASANT, JUDGE)